

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:20-CV-00066-MR**

MICHAEL ODELL FAIR,

Plaintiff,

vs.

JASON MUNDAY,

Defendant.

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ORDER

THIS MATTER is before the Court on review of this docket in this matter.

Plaintiff Michael Odell Fair ("Plaintiff") filed a *pro se* civil action on May 14, 2020 pursuant to 42 U.S.C. § 1983. [Doc. 1]. After granting Plaintiff in forma pauperis status, the Court conducted initial review of Plaintiff's Complaint pursuant to 28 U.S.C. § 1915(e)(2). The Court found that Plaintiff failed to state a claim upon which relief can be granted and allowed Plaintiff thirty (30) days from September 2, 2020 to amend his Complaint in accordance with the terms of the Court's Order. [Doc. 8]. The Court advised Plaintiff that if he failed to timely file an amended Complaint, this action would be dismissed without prejudice and without further notice to Plaintiff. [Id. at

8].

More than 30 days have passed, and Plaintiff has not filed an amended complaint. The Court will, therefore, dismiss this action without prejudice.

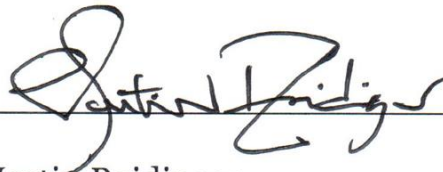
ORDER

IT IS, THEREFORE, ORDERED that Plaintiff's Complaint [Doc. 1] is dismissed without prejudice.

The Clerk is instructed to terminate this action.

IT IS SO ORDERED.

Signed: October 23, 2020

A handwritten signature in black ink, appearing to read "Martin Reidinger", is written over a horizontal line.

Martin Reidinger
Chief United States District Judge

